

**A REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES  
OF THE VILLAGE OF BOLINGBROOK – AUGUST 12, 2014**

**CALL TO ORDER**

The Regular Meeting of the Mayor and Board of Trustees of the Village of Bolingbrook was called to order at the hour of 8:00 p.m., August 12, 2014, in Bolingbrook, Illinois, by Mayor Roger C. Claar.

**PLEDGE OF ALLEGIANCE**

Mayor Claar requested Matt Dinkel from Boy Scout Troop 131 lead the Pledge of Allegiance to the Flag. Matt was working on his merit badge for Community.

**ROLL CALL**

Village Clerk, Carol Penning, called the roll. Present were: Mayor Roger C. Claar, Trustees: Leroy J. Brown, Michael T. Lawler, Ricardo Morales, Joseph B. Morelli, Patricia E. Schanks and Maria A. Zarate

Absent: None

Also present were: Village Clerk – Carol S. Penning, Village Attorney - James Boan, Public Safety Director - Kevin McCarthy, Finance Director – Rosa Cojulun, Director of Public Services & Development – Lucas Rickelman

Absent: None

Representing the press: Ron Kramer – Times Weekly

**JOURNAL OF PROCEEDINGS**

Motion Brown, second Schanks to approve the minutes of the regular meeting of July 8, 2014, Village Board meeting submitted by the Village Clerk.

Voice vote. Motion carried.

**APPROVAL OF AGENDA**

Mayor Claar requested that the swearing-in of the police officer be moved up to the first item under "Mayor's Report".

Motion Schanks, second Brown to approve the agenda as amended.

Voice vote. Motion carried.

**APPROVAL OF APPOINTMENTS/REAPPOINTMENTS**

Motion Morales, second Lawler to approve the appointments/reappointments as follows;

Arts Council Commission: Grace Tucker/New Appointment

Grace Tucker could not attend the meeting tonight and will be sworn-in at a later time.

ROLL CALL: Yea 6 – Brown, Lawler, Schanks, Morales, Morelli, Zarate

Nay 0 - None

Absent 0 - None

Motion carried.

**PROMOTIONS/SWEARING-IN**

Police Department: Jenna R. Swendsen/Police Officer was sworn-in as a new Officer, Badge #1198

Police and Fire Board Chair, Dennis Meehan, and Commissioners Ray Macri, Gretchen Schroeder, Major Jones, Prem Lalvani and Barbara Provo were present.

**PROCLAMATIONS**

**BOLINGBROOK JUBILEE, August 15 - 17, 2014:** Mayor Claar proclaimed BOLINGBROOK JUBILEE to be held August 15th through the 17th. He urged all residents and their families to join with friends and neighbors to enjoy this music filled event. Ken Lindemann, Chair of the Civic and Cultural Affairs Commission, accepted the proclamation and gave details of all the bands and events taking place over the Jubilee weekend.

**INDIA'S 67th INDEPENDENCE DAY, August 16, 2014:** Mayor Claar proclaimed August 16, 2014, INDIA'S 67th INDEPENDENCE DAY and urged all residents to appreciate the contributions of our Indian-American community and join with them in celebrating their 67th Anniversary. Prem Lalvani accepted the proclamation and presented Mayor Claar with honorary garb and turban proclaiming him "Maharaja" of Bolingbrook.

**PAKISTAN'S 67th INDEPENDENCE DAY, August 23, 2014:** Mayor Claar proclaimed August 23, 2014, PAKISTAN'S 67th INDEPENDENCE DAY and asked all residents to recognize the contributions of our Pakistan-American community and join with them in celebrating the 67th Anniversary of their Independence Day. Talat Rashid accepted the proclamation.

**PRESENTATIONS**

**HOME LANDSCAPE AWARDS FOR JUNE 2014:** Mayor Claar, Beautification Chair, Phyllis Ann Ruggiero, and members on the commission presented awards to the following residents:

- |                           |                       |
|---------------------------|-----------------------|
| Marco Amenene             | 804 Metropolitan Ave. |
| Kenneth & Shelly Boone    | 419 Hummingbird Ln.   |
| Jose & Georgina Castaneda | 3 Callery Ct.         |
| William & Rite Cervenka   | 2 Redspire Ct.        |
| Michael Cherry            | 573 Pontiac Ln.       |
| Marjorie Clifton          | 352 Magnolia Ct.      |

Sue Russo & Andrew & Kim Eitel	776 Lindsey Ln.***
Janeann Fontana & McKenzie Renay	346 Magnolia Ct.
Salvado Garcia	304 Drake Ct.
Tim & Del Hanover	184 Tecumseh Dr.
Melodie & John Havlick	482 Savannah Ln.
Mario & Mari Herrera	553 Carlyle Ln.
Charles & Robin Huttar	1 Foxglove Ct.
Mark & Kathleen Jarzowski	401 Monarch Ln.
Cathy Klasek	464 Degas Cir.
Joanne Lukashow	127 Creekside Dr.
George & Susan Malek	5 Forsythia Ct.
Calixto Martinez	219 Bedford Ln.
Jose Luis Martinez	357 Magnolia Ct.
Reggie & Pamela Mueller	217 Windsor Dr.
Javis & Bridget Myrick	350 Magnolia Ct.
Patrick & Susan O'Hara	125 Denver Dr.
Gilberto Orozco	324 Northridge Ave.
Daniela Pantazi	575 Pontiac Ln.
Lan Phan	708 Lakewood Farms Dr.
Roberto & Margarita Robles	200 Monterey Dr.
Mark & Linda Rogers	518 White Oak Rd.
Filiberto & Maria Serna	571 Redwood Rd.
Elizabeth Sewruk	466 Michelangelo Dr.
Miguel & Gloria Silva	328 Northridge Ave.
Christy Smith	317 Plumtree Ct.
Arthur & Dorothy Sutton	141 Cheyenne Ct.
Joe & Maria Tena	516 Sonoma Dr.
Kathy Tomlinson	120 S. Palmer Dr.
Javier Trujillo	112 Malibu Dr.
Tim & Joanne Tunt	1900 Eisenhower Ln.
Samuel Yales	153 Denver Dr.

\*\*\* Yard Sign Winner: Sue Russo & Andrew & Kim Eitel 776 Lindsey Ln.

The Yard Sign Winner was given to the resident that had the best landscaping according to the Beautification Commission judges. Public Works installs the sign prominently in the resident's front lawn for one month.

### **BILL APPROVAL**

Motion Morales, second Schanks to approve expenditures submitted as Bill Listing A - Payables in the amount of \$1,384,425.20 and Bill Listing B - Pre-Paid in the amount of \$1,344,652.53 totaling \$2,729,077.73. (Copies were made available in the Finance Dept. and Clerk's Office.)

ROLL CALL: Yea 6 – Brown, Lawler, Schanks, Morales, Morelli, Zarate

Nay 0 - None

Absent 0 - None

Motion carried.

**TAX RECEIPTS**

1. April, 2014 State Income Tax - \$413,026.91 (April, 2013 State Income Tax - \$425,282.22) – a -2.9% Decrease
2. May, 2014 Sales Tax - \$2,428,858.56 (May, 2013 Sales Tax - \$2,301,943.27) – a 5.5% Increase
3. May, 2014 Motor Fuel Tax - \$142,808.46 (May, 2013 Motor Fuel Tax - \$128,051.40) – a 11.5% Increase

**MOTIONS**

None

**RESOLUTIONS**

**RESOLUTION 14R-028**

**APPROVING SECOND AMENDMENT TO BILLING AGREEMENT BETWEEN PARAMEDIC BILLING SERVICES, INC. AND THE VILLAGE**

Motion Brown, second Lawler to adopt a resolution approving the Second Amendment to the Billing Agreement between Paramedic Billing Services, Inc., and the Village.

Paramedic Billing Services handled the billing and collection work associated with the fees for ambulance services by the Village Fire Department. This resolution renewed the agreement for five (5) years (from July 1, 2014 – June 30, 2019). The fee remained at 6% of all payments collected. In addition, PBS will provide laptop computers for each of the five (5) ambulances to enter patient/insurance data. The Public Services Committee reviewed the amendment and recommended approval.

ROLL CALL: Yea 6 – Brown, Lawler, Schanks, Morales, Morelli, Zarate

Nay 0 - None

Absent 0 - None

Motion carried.

**RESOLUTION 14R-033**

**AUTHORIZING SIGNATURE OF LICENSE AGREEMENT BETWEEN THE VILLAGE AND BOLINGBROOK JAYCEES RE CARNIVAL AT BOLINGBROOK JUBILEE**

Motion Brown, second Lawler to adopt a resolution authorizing the signature of a License Agreement between the Village and Bolingbrook Jaycees regarding the carnival at the Bolingbrook Jubilee.

This resolution entered into a License Agreement with the Bolingbrook Jaycees which allowed them to operate a carnival during the Jubilee. The agreement provided for reimbursement to the Village for Public Works and Police costs expended as a result of the carnival. It also provided for revenue sharing. The Village will share equally with the Jaycees any net profits from the carnival in excess of \$6,000. This was the same arrangement the parties had last year.

ROLL CALL: Yea 6 – Brown, Lawler, Schanks, Morales, Morelli, Zarate

Nay 0 - None

Absent 0 - None

Motion carried.

**RESOLUTION 14R-034**

**APPROVING CLIENT SERVICES WORK ORDER WITH KFORCE**

Motion Morales, second Zarate to adopt a resolution approving a Client Services Work Order with Kforce.

This resolution renewed a contract with Kforce to maintain the Village's main frame AS-400 computer. The AS-400 runs the Village's MUNIS General Ledger Program. The billing rate will be \$62.00/hr. The contract will run from May 31, 2014, to June 1, 2015. The budgeted amount was \$135,400. The Finance Committee reviewed the contract and recommended approval.

ROLL CALL: Yea 6 – Brown, Lawler, Schanks, Morales, Morelli, Zarate

Nay 0 - None

Absent 0 - None

Motion carried.

**RESOLUTION 14R-035**

**ACCEPTING PUBLIC IMPROVEMENTS IN THE RIVER HILLS UNIT 3A SUBDIVISION (ORLEANS, RHIL, LP)**

Motion Morales, second Zarate to adopt a resolution accepting public improvements in the River Hills Unit 3A Subdivision (Orleans, RHIL, LP).

River Hills Subdivision is located at the northeast corner of Reagan Boulevard (f/k/a 127<sup>th</sup> St.) and Naperville/Plainfield Road. Orleans Homes started the development in 2005. Unit 3A consisted of 1.66 acres and contained four (4) lots on Winding Way, which were model homes. The final roadwork was done in 2013.

This resolution accepted the public improvements from the developer, Orleans Homes. Because of the length of time since the improvements were made, the staff recommended the one (1) year maintenance guarantee be waived since the improvements have already been there for several years.

ROLL CALL: Yea 6 – Brown, Lawler, Schanks, Morales, Morelli, Zarate

Nay 0 - None

Absent 0 - None

Motion carried.

**RESOLUTION 14R-036**

**APPROVING RENEWAL CUSTOMER SERVICE AGREEMENTS WITH CALL ONE**

Motion Morelli, second Schanks to adopt a resolution approving approving the renewal of Customer Service Agreements with Call One.

This resolution renewed a contract with Call One for one (1) year. Call One has been providing “bulk” phone services including E 911 lines for the last three (3) years. The staff updated the cost comparison and determined Call One was cheaper than AT&T. The budgeted amount was \$110,000. Actual cost will be based on usage.

ROLL CALL: Yea 6 – Brown, Lawler, Schanks, Morales, Morelli, Zarate

Nay 0 - None

Absent 0 - None

Motion carried.

**RESOLUTION 14R-037**

**APPROVING FIXED PRICING CONTRACT OF ELECTRICAL POWER SUPPLY FOR ALL WASTEWATER UTILITY FACILITIES AND STREET LIGHTING ACCOUNTS (SUBJECT TO ATTORNEY APPROVAL)**

Motion Brown, second Schanks to adopt a resolution approving a fixed pricing contract of electrical power supply for all wastewater utility facilities and street lighting accounts (subject to attorney approval).

The Village has combined the electricity requirement of streetlight and sewage treatment plant use, including lift stations into one (1) bid. Four (4) quotes were obtained. The low quote was from Homefield (Dyenergy) at .05457 kWh for sanitary sewer facilities and .04097 kWh for streetlights (off peak demand). The staff recommended that the Village accept the three (3) year contract term. The final contract had not been submitted to date, so the resolution was passed subject to attorney approval.

ROLL CALL: Yea 6 – Brown, Lawler, Schanks, Morales, Morelli, Zarate

Nay 0 - None

Absent 0 - None

Motion carried.

**ORDINANCES**

**PC 14-22**

**APPROVAL OF A SPECIAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT – SALONS BY JC – 619 E. BOUGHTON ROAD, SUITE 143; THOMAS SALABA, FIRM GRIP HOLDINGS, LLC, APPLICANT**

Motion Morelli, second Lawler to pass an ordinance for approval of a Special Use Permit for a Planned Unit Development - Salons By JC - 619 E. Boughton Road, Suite 145; Thomas Salaba, Firm Grip Holdings, LLC, Applicant.

Voice vote. Motion carried.

**ORDINANCE 14-061**

**APPROVING SPECIAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT TO ALLOW A HAIR SALON AND SPA ESTABLISHMENT – SALONS BY JC (619 E. BOUGHTON ROAD)**

Motion Brown, second Lawler to pass an ordinance approving a Special Use Permit for a Planned Unit Development to allow a hair salon and spa establishment - Salons by JC (619 E. Boughton Rd.).

Firm Grip Holdings, LLC sought approval of a Special Use Permit to allow 6,496 sq. ft. of tenant space at the Promenade (next to Mongolian Grill) to be used as a Hair Salon and Spa. The Special Use Permit would allow for thirty-five (35) to forty (40) suites which would be leased out to individual stylists, barbers, nail specialists, etc. Suites will range in size from ninety-five (95) to one hundred forty (140) sq. ft. Non-sales tax generating businesses require a Special Use Permit to locate in commercially zoned development. The Plan Commission reviewed the contract and recommended approval.

ROLL CALL: Yea 6 – Brown, Lawler, Schanks, Morales, Morelli, Zarate

Nay 0 - None

Absent 0 - None

Motion carried.

**PC 14-23**

**APPROVAL OF A SPECIAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT – AMAZING GRACE ARTS AND EDUCATIONAL GROUP – 299 S. SCHMIDT ROAD; JANICE STEWART, AMAZING GRACE AND EDUCATIONAL GROUP, APPLICANT**

Motion Lawler, second Morales to accept Plan Commission Report PC 14-23 for approval of a Special Use Permit for a Planned Unit Development - Amazing Grace Arts and Educational Group - 299 S. Schmidt Rd.; Janice Stewart, Amazing Grace and Education Group, Applicant.

Voice vote. Motion carried.

Janice Stewart explained that her mission for Amazing Grace Arts and Education Group was to empower the underserved youth (and adults) in the community using the arts; dance, music, drama and theater.

**ORDINANCE 14-062**  
**APPROVING SPECIAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT TO ALLOW A PROFESSIONAL CONSULTING, EDUCATION AND COMMUNITY OUTREACH PROGRAM OFFICE – AMAZING GRACE ARTS AND EDUCATIONAL GROUP (299 S. SCHMIDT ROAD)**

Motion Brown, second Schanks to pass an ordinance approving a Special Use Permit for a Planned Unit Development in order to allow a professional consulting education and community outreach program office - Amazing Grace Arts and Educational Group (299 S. Schmidt Rd.).

Amazing Grace Arts and Educational Group requested authorization to lease 3,500 sq. ft. of tenant space at the northwest corner of Schmidt and Lily Cache Lane. They have applied for a Special Use Permit to provide educational programming and community outreach services. Non-sales tax generating businesses are required to obtain a Special Use Permit to locate in commercial zoned districts. This ordinance approved the Special Use Permit. The Plan Commission reviewed the contract and recommended approval.

ROLL CALL: Yea 6 – Brown, Lawler, Schanks, Morales, Morelli, Zarate

Nay 0 - None

Absent 0 - None

Motion carried.

**ORDINANCE 14-063**  
**APPROVING AGREEMENT FOR USE OF THE PUBLIC WAY AND CABLE/VIDEO PROVIDER FEES – VINAKOM COMMUNICATIONS**

Motion Schanks, second Zarate to pass an ordinance approving an agreement for use of the public way and cable/video provider fees - Vinakom Communication.

Vinakom Communications has applied for construction permits to install fiber optic cables in Village rights-of-way. Before a permit can be issued the company must have an agreement with the Village. Vinakom's business provided internet and cable services to industrial areas. In return for allowing the placement of cable in Village rights-of-way, the company had agreed to pay 6% of its gross revenues collected from its Bolingbrook customers. This was the same rate Comcast pays. This ordinance approved the Franchise Agreement.

ROLL CALL: Yea 6 – Brown, Lawler, Schanks, Morales, Morelli, Zarate

Nay 0 - None

Absent 0 - None

Motion carried.



**ORDINANCE 14-064**

**ACCEPTING CONVEYANCE OF PROPERTY LOCATED AT THE NORTHWEST CORNER OF JOLIET ROAD AND ST. JAMES GATE SUBJECT TO ATTORNEY APPROVAL**

Motion Brown, second Morales to pass an ordinance accepting conveyance of property located at the Northwest Corner of Joliet Rd. and St. James Gate subject to attorney approval.

In this year's budget, a traffic signal at the intersection of St. James Gate and Joliet Road was included. In order to expand the intersection to accommodate the signal, additional right-of-way was needed. This ordinance accepted 1,437 sq. ft. of property from Liberty Property Trust (northwest corner) for the intersection improvements. The land was given to the Village at no charge.

ROLL CALL: Yea 6 – Brown, Lawler, Schanks, Morales, Morelli, Zarate

Nay 0 - None

Absent 0 - None

Motion carried.

**ORDINANCE 14-065**

**APPROVING PLAT OF VACATION OF REMINGTON BOULEVARD RIGHT-OF-WAY**

Motion Morales, second Brown to pass an ordinance approving a Plat of Vacation of Remington Boulevard right-of-way.

When the Village was acquiring right-of-way for the construction of Remington Boulevard in the 1980's, it acquired a homestead at the southwest corner of the Schmidt Road intersection. There was a surplus piece of property 30' x 72' (2,160 sq. ft.) that abuts the adjacent distribution building. This piece of property was non-buildable and outside of the right-of-way. This ordinance vacated the property and conveyed it to the adjacent landowner.

ROLL CALL: Yea 6 – Brown, Lawler, Schanks, Morales, Morelli, Zarate

Nay 0 - None

Absent 0 - None

Motion carried.

**ORDINANCE 14-066**

**AMENDING CHAPTER 13 OF THE MUNICIPAL CODE AND INCREASING CLASS "C" FROM NINE (9) TO TEN (10) – EL BALCON RESTAURANT, INC.**

Motion Morales, second Zarate to pass an ordinance amending Chapter 13 of the Municipal Code and increasing Class C Liquor Licenses from nine (9) to ten (10) for El Balcon Restaurant, Inc.

El Balcon restaurant recently relocated from the Indian Oaks Plaza to 291 N. Bolingbrook Drive (across from Menards). With the larger space, the eatery would like to serve alcohol. This ordinance increased the number of Class C (beer and wine) Liquor Licenses from nine (9) to ten (10) to reflect additional license.

ROLL CALL: Yea 6 – Brown, Lawler, Schanks, Morales, Morelli, Zarate

Nay 0 - None

Absent 0 - None

Motion carried.

Red Lobster restaurants went through a corporate re-organization. This changed ownership of the Red Lobster Division which then required the issuance of a new liquor license. The next two (2) ordinances reflect the change in ownership:

**ORDINANCE 14-067**

**AMENDING CHAPTER 13 OF THE MUNICIPAL CODE DECREASING CLASS “D” FROM SIXTEEN (16) TO FIFTEEN (15) – RED LOBSTER (GMRI, INC)**

Motion Morelli, second Morales to pass an ordinance amending Chapter 13 of the Municipal Code decreasing Class D Liquor Licenses from sixteen (16) to fifteen (15) - Red Lobster (GMRI, Inc.).

This ordinance decreased the number of Class D licenses from sixteen (16) to fifteen (15) in order to reflect the re-organization of the business away from Red Lobster/GMRI, Inc.

ROLL CALL: Yea 6 – Brown, Lawler, Schanks, Morales, Morelli, Zarate

Nay 0 - None

Absent 0 - None

Motion carried.

**ORDINANCE 14-068**

**AMENDING CHAPTER 13 OF THE MUNICIPAL CODE AND INCREASING CLASS “D-2” FROM TEN (10) TO ELEVEN (11) – RED LOBSTER HOSPITALITY LLC**

Motion Morales, second Schanks to pass an ordinance amending Chapter 13 of the Municipal Code and increasing Class D-2 Liquor Licenses from ten (10) to eleven (11) for Red Lobster Hospitality LLC.

This ordinance increased the number of Class D-2 liquor licenses (minimum 60% food sales) from ten (10) to eleven (11) to reflect the change of the business to Red Lobster Hospitality LLC.

ROLL CALL: Yea 6 – Brown, Lawler, Schanks, Morales, Morelli, Zarate

Nay 0 - None

Absent 0 - None

Motion carried.

**PUBLIC COMMENTS**

None

**TRUSTEE COMMENTS**

Trustee Zarate gave details on the events to be held at the Promenade including the Farmers Market. She also mentioned that, last Saturday, she stopped at the Pleasant Prairie Girl Scout Jamboree being held that weekend on the Village Hall grounds. She watched the girl scouts complete service projects and talked to Scout leaders. They wanted her to thank Mayor Claar and the Village Trustees and staff for helping to make the Jamboree such a success every year.

Trustee Morelli had no comment.

Trustee Brown gave information about the 16th annual "JoyFest" being held at the Performing Arts Center on Saturday, September 13th, from 1:00 to 6:00 p.m.

Trustee Schanks gave details on the Bolingbrook Fire Fighters Local 3005 14th Annual Scholarship Fund Golf Outing on Tue., September 9th, at the Bolingbrook Golf Club.

Trustee Morales gave information about the "Taste of Pakistan" celebrating the 67th Independence Day of Pakistan on Saturday, August 23rd from 12 Noon to 11:00 p.m. in back of Village Hall at the Performing Arts Center.

Mayor Claar mentioned that Saturday, August 23rd is also the Bolingbrook Park Districts "Summers Last Blast" party at the BRAC from 9:00 to dusk. Also, the Mayor gave details on the Bolingbrook High School Athletic Boosters 6th Annual Fall Sports Preview and All American BBQ on August 23rd from 9:00 am to 6:00 p.m. It will be held on Raider field at the high school. This was a chance for residents to meet the athletes and coaches on the fall teams, take part in activities and enjoy food from the barbeque. Mayor Claar noted that the Bolingbrook Raiders Varsity Football Team was exceptionally good this year and it should be a great season.

Trustee Lawler gave details on the free concerts at the Performing Arts Center every Wednesday evening starting at 7:30 p.m. This Wednesday, the band "Evolution" will be playing.

**EXECUTIVE SESSION**

None

**ADJOURNMENT**

Motion Brown, second Schanks to adjourn the meeting.

Voice vote. Motion carried and meeting adjourned at 9:16 p.m.

ATTEST:

---

Roger C. Claar  
MAYOR

---

Carol S. Penning, CMC  
VILLAGE CLERK